

Union Calendar No. 464

107TH CONGRESS
2^D SESSION

H. R. 3148

[Report No. 107-744]

To amend the Alaska Native Claims Settlement Act to provide equitable treatment of Alaska Native Vietnam Veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 16, 2001

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Resources

OCTOBER 11, 2002

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on October 16, 2001]

A BILL

To amend the Alaska Native Claims Settlement Act to provide equitable treatment of Alaska Native Vietnam Veterans, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Alaska Native Veterans*
3 *Land Allotment Equity Act”.*

4 **SEC. 2. AMENDMENT TO ALLOW CERTAIN ALASKA NATIVE**
5 **VETERAN LAND ALLOTMENTS.**

6 *Section 41 of the Alaska Native Claims Settlement Act*
7 *(43 U.S.C. 1629g) is amended as follows:*

8 *(1) Paragraphs (1) and (2) of subsection (a) are*
9 *amended to read as follows: “(1) The period for filing*
10 *allotments under this Act shall end 3 years after the*
11 *Secretary issues final regulations under section 3 of*
12 *the Alaska Native Veterans Land Allotment Equity*
13 *Act. A person described in paragraph (1) or (2) of*
14 *subsection (b) shall be eligible for an allotment of not*
15 *more than two parcels of Federal land totaling 160*
16 *acres or less.*

17 *“(2)(A) Allotments may be selected from the following:*

18 *“(i) Vacant lands that are owned by the United*
19 *States;*

20 *“(ii) Lands that have been selected or conveyed*
21 *to the State of Alaska if the State voluntarily relin-*
22 *quishes or conveys to the United States the land for*
23 *the allotment.*

24 *“(iii) Lands that have been selected or conveyed*
25 *to a Native Corporation if the Native Corporation*

1 *voluntarily relinquishes or conveys to the United*
2 *States the land for the allotment.*

3 “(B) *A Native Corporation may select an equal*
4 *amount of acres of appropriate Federal land within the*
5 *State of Alaska to replace lands voluntarily relinquished*
6 *or conveyed by that Native Corporation under subpara-*
7 *graph (A)(iii).*

8 “(C) *For security reasons, allotments may not be se-*
9 *lected from—*

10 *“(i) lands within the right-of-way granted for*
11 *the TransAlaska Pipeline; or*

12 *“(ii) the inner or outer corridor of that right-of-*
13 *way withdrawal.”.*

14 *(2) Subsection (a)(3) is repealed.*

15 *(3) In subsection (b)(1), strike “A person” and*
16 *insert “Except as provided in paragraph (3), a per-*
17 *son”.*

18 *(4) Subsection (b)(1)(B) is amended to read as*
19 *follows:*

20 *“(B) is a veteran who served during the period*
21 *between August 5, 1964, and May 7, 1975, including*
22 *such dates.”.*

23 *(5) Subsection (b)(2) is amended to read as fol-*
24 *lows:*

1 “(2) *If an individual who would otherwise have been*
 2 *eligible for an allotment dies before applying for the allot-*
 3 *ment, an heir on behalf of the estate of the deceased veteran*
 4 *may apply for and receive the allotment.”.*

5 (6) *In subsection (b)(3), insert before the period*
 6 *the following: “, except for an heir who applies and*
 7 *receives an allotment on behalf of the estate of a de-*
 8 *ceased veteran pursuant to paragraph (2)”.*

9 (7) *Subsection (e) is amended to read as follows:*
 10 “(e) *REGULATIONS.—All regulations in effect imme-*
 11 *diately before the enactment of subsection (f) that were pro-*
 12 *mulgated under the authority of this section shall be re-*
 13 *pealed in accordance with section 552(a)(1)(E) of the Ad-*
 14 *ministrative Procedure Act (5 U.S.C. 552(a)(1)(E)).”.*

15 (8) *Add at the end the following new subsections:*

16 “(f) *APPROVAL OF ALLOTMENTS.—(1) Subject to valid*
 17 *existing rights, and except as otherwise provided in this*
 18 *subsection, not later than January 31, 2007, the Secretary*
 19 *shall approve an application for allotments filed in accord-*
 20 *ance with subsection (a) and issue a certificate of allotment*
 21 *which shall be subject to the same terms, conditions, restric-*
 22 *tions, and protections provided for such allotments.*

23 “(2) *Upon receipt of an allotment application, but in*
 24 *any event not later than October 31, 2005, the Secretary*
 25 *shall notify any person or entity having an interest in land*

1 *potentially adverse to the applicant of their right to initiate*
2 *a private contest or file a protest under existing Federal*
3 *regulations.*

4 “(3) *Not later than January 31, 2007, the Secretary*
5 *shall—*

6 “(A) *if no contest or protest is timely filed, ap-*
7 *prove the application pursuant to paragraph (1); or*

8 “(B) *if a contest or protest is timely filed, stay*
9 *the issuance of the certificate of allotment until the*
10 *contest or protest has been decided.*

11 “(g) *RESELECTION.—A person who made an allotment*
12 *selection under this section before the date of the enactment*
13 *of Alaska Native Veterans Land Allotment Equity Act may*
14 *withdraw that selection and reselect lands under this section*
15 *if the lands originally selected were not conveyed to that*
16 *person before the date of the enactment of Alaska Native*
17 *Veterans Land Allotment Equity Act.”.*

18 **SEC. 3. REGULATIONS.**

19 *Not later than 1 year after the date of the enactment*
20 *of this Act, the Secretary of the Interior shall issue final*
21 *regulations to implement the amendments made by this Act.*

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